

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHANNEL E. ALLEN, *et al.*,

Case No. 23-11639

Plaintiffs,
v.

F. Kay Behm
United States District Judge

MICHIGAN DEPARTMENT OF HEALTH
AND HUMAN SERVICES, *et al.*,

Anthony P. Patti
United States Magistrate Judge

Defendants.

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**ORDER ADOPTING AND ACCEPTING MAGISTRATE JUDGE'S
OCTOBER 17, 2023 REPORT AND RECOMMENDATION (ECF No. 28)
AND DENYING MOTION TO DISMISS AS MOOT (ECF No. 13)**

Currently before the Court is Magistrate Judge Anthony P. Patti's October 17, 2023 Report and Recommendation. (ECF No. 28). Magistrate Judge Patti recommends denying the pending motion to dismiss (ECF No. 13) as moot based on a subsequently filed amended complaint. (ECF No. 28). The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate

Judge's recommended disposition. Therefore, the court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 28) and **DENIES** Defendant's motion to dismiss (ECF No. 13) as moot.

SO ORDERED.

Date: November 9, 2023

s/F. Kay Behm

F. Kay Behm

United States District Judge